



Commonwealth of Massachusetts
Department of Industrial Accidents
600 Washington Street, 7th Floor
Boston, MA 02111

***EMPLOYER'S GUIDE TO
THE MASSACHUSETTS
WORKERS'
COMPENSATION SYSTEM***

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June 2004

This **Employers' Guide to Workers' Compensation** has been compiled by the Public Information Office at the Department of Industrial Accidents (DIA) to assist employers understand the Massachusetts workers' compensation system. This guide attempts to assemble in one publication all the information an employer in Massachusetts needs in order to comply with the insurance and reporting requirements of the Massachusetts workers' compensation law.

Included in this guide are sections on:

- **Who must be covered**
- **The change in the law concerning coverage of corporate officers**
- **What injuries must be reported**
- **The reporting/claim process - from injury to adjudication**
- **Why employers receive violation notices and how to appeal them**
- **Reducing your Insurance rate /Managing your injuries**
- **Questions and Answers**

The Public Information Office welcomes comments and /or suggestions on information to add in upcoming revisions. Suggestions and comments should be sent to:

Public Information Office
Department of Industrial Accidents
600 Washington Street, 7th Floor
Boston, MA 02111

Visit our *web site* for more information and access to forms, circular letters, and reviewing board decisions: ***www.mass.gov/dia***

EMPLOYERS' GUIDE TO WORKERS' COMPENSATION

Employers in Massachusetts have certain obligations under Massachusetts General Laws, Chapter 152, the Workers' Compensation Act. This guide outlines employers' requirements for compliance with the law. The Department of Industrial Accidents administers workers' compensation within the Commonwealth; the Public Information Office can be called at 1-800-323-3249 x 470. Information may also be obtained by calling the regional offices in Lawrence (978-683-6420), Fall River (508-676-3406), Worcester (508-753-2072) and Springfield (413-784-1133).

INSURANCE REQUIREMENTS

All employers in Massachusetts are required by state law to carry workers' compensation insurance covering their employees, including themselves if they are an employee of their company. This requirement applies regardless of the number of hours worked in any given week, except that domestic service employees must work a minimum of 16 hours per week in order to require coverage.

Members of a Limited Liability Company, partners of an LLP, partnerships, or sole proprietors of an unincorporated business are not required to carry workers' compensation insurance for themselves. However, under a change to the law in 2002, such members, partners and sole proprietors may now choose to purchase workers' compensation insurance coverage for themselves. To obtain coverage, the member or partner should contact an insurance broker and state that they wish to obtain a policy. Please be advised that optional coverage applies **ONLY** to the such members, partners or sole proprietors. Any *employee* of such organizations who is not a member or partner in the business **MUST** be covered by workers' compensation insurance.

Exemption for Certain Corporate Officers

On July 25, 2002, Governor Swift signed a bill allowing certain corporate officers to request exemption from coverage under the workers' compensation law. Any corporate officer who owns at least 25% interest in the corporation may exercise their right to exempt themselves from the provisions of the Massachusetts Workers' Compensation Act (M.G.L. c. 152). Such an exemption **DOES NOT** apply to employees of such a corporation who are not corporate officers; employees must be covered by a valid workers' compensation policy at all times. In order for corporate officers to exercise this right of exemption, all eligible corporate officers must sign the Form 153, **Affidavit of Exemption For Certain Corporate Officers**, stating whether or not they wish to exempt themselves.

Members of a Limited Liability Company and partners of an LLP do not have to file the Form 153 to exempt themselves from coverage, as they are considered partnerships..

Employers operating without workers' compensation coverage will be issued a STOP WORK ORDER by the DIA Office of Investigations, and shall be assessed a \$100 per day fine commencing on the date of the STOP WORK ORDER and accruing until the date insurance coverage becomes effective and the fine is paid, as authorized under M.G.L. Chapter 152, Section 25C. In addition, the employer may be subject to criminal sanctions including, not more than one year imprisonment and/or up to a \$1500 fine, upon conviction. Uninsured employers may also be subject to debarment from public contracts.

Employers are required to notify every employee of the name of their applicable workers' compensation insurance carrier. A "NOTICE TO EMPLOYEES" form is available from the DIA (one is included at the end of this booklet) and/or the insurance company and should be posted in a conspicuous area. Failure to post this information may subject the employer to a fine of **ONE HUNDRED DOLLARS**. This form can be downloaded from our web site.

INJURY REPORTING REQUIREMENTS

MEDICAL ONLY claims, for injuries that result in medical bills, but fewer than five days of disability, are reported just to your workers' compensation insurance company, and not to the Department of Industrial Accidents. You would use whatever form your insurer had for a medical-only report.

An injured worker becomes eligible for WEEKLY compensation indemnity benefits when he/she has been totally or partially disabled due to an injury or occupational illness, and is incapable of earning full wages for five or more calendar days (the days do not have to be consecutive; disability can be total or partial). When this happens, the employer is required to file the Employer's First Report of Injury/Illness/Death form, in compliance with MGL C. 152, §6.

Form 101, **Employers' First Report of Injury/Illness/ Death**, (a copy is attached in back of this brochure) must be submitted to the Department of Industrial Accidents, the insurance carrier and the employee, when an injury or illness renders an employee incapable of earning full wages for five or more calendar days. This report must be sent to the DIA within seven days (not including Sundays and legal holidays) from the fifth day the employee has been disabled because of the accident. Forms may be duplicated as needed; however, original signatures are required on forms submitted to the DIA.

File this form if injury results in death, or five or more calendar days of either total or partial disability (the inability to earn full wages).

Please TYPE or PRINT LEGIBLY!

Submission of a Form 101 does not constitute an admission of liability. Any person who violates this section of the law three or more times in any year shall be

punished by a fine of one hundred dollars (\$100) for each violation. Each failure to pay a fine within thirty (30) days of receipt of a bill from the department shall be considered a separate violation.

If an employee does not report the accident to you right away, you have seven days (not including Sundays or legal holidays) from the receipt of a notice of injury, to file the Form 101. For example, if an employee was out of work for three weeks, and only when the employee returned did he or she claim that their absence was due to an injury on the job, you would have seven days from the notification to file the Form 101.

[Note: In a case such as that, be sure to fill out the box on the Form 101 marked "DATE REPORTED" with the date the injury was actually reported to you, so that your company will not be fined for failing to file the report within the statutory limits.]

Injuries which do not disable an employee from earning full wages for five or more calendar days and/or involve a medical claim only should be reported to the insurance carrier only. Contact your insurance carrier to obtain the forms used to report these injuries.

WHAT TO DO WITH THE FORM 101

You should make three (3) copies of this form. Mail the original 101 form to:

Department of Industrial Accidents - Department 101
600 Washington Street, 7th floor
Boston, MA 02111

One (1) copy **MUST** be given to the employee. Send one (1) copy to your insurance company and keep one (1) copy for your records.

If the Form 101 you submitted is incomplete, or contains an error, it may be rejected by the DIA and returned to you for completion. Add or correct the information on the rejected form and re-submit that form. If a new form is filled out, include a copy of the date-stamped rejected form with your new submission. This will help you to avoid incurring a fine.

REASONS EMPLOYERS RECEIVE A FIRST REPORT VIOLATION NOTICE

1. The First Report is filed late.
2. The employer erroneously does not file a First Report of Injury with the DIA, as required by law; filing only with his/her insurance agent or company. The DIA's only information on this injury came from the insurer when they filed a Notification of Payment (Form 103) or Notification of Denial (104).
3. The employer receives a rejected form back from the department, and does not re-file the rejected form with the needed corrections.
4. The insurer sends the department a Form 103 or 104 in response to a report from an employer that should have been filed as a Medical-Only claim.

5. The department has made an error.

HOW TO APPEAL AN EMPLOYER'S VIOLATION NOTICE

The Department of Industrial Accidents is required by law to fine those employers who have not filed a correct First Report of Injury/Illness/Death form within the statutory time limits. **YOU MUST EITHER PAY OR APPEAL WITHIN 30 DAYS.** Please mail payments to:

Department of Industrial Accidents
P. O. Box 3732
Boston, MA 02241-3732

If you should receive an Employer Injury Report Violation Notice from the DIA, and believe that it is not warranted, here are the easy steps to appeal it:

STEP 1: All inquiries/appeals must be submitted in writing along with a copy of the violation invoice. Briefly state in a letter the reasons for your belief that you are not liable for this fine. You must do this within 30 days from the date of the Violation Notice. Include all RELEVANT information.

STEP 2: Wait for the DIA's response to your appeal. The DIA will conduct an individual administrative review of your appeal. This means that we will research and/or pull the original forms from our files and confirm the basis for the original issuance of the fine. If the research and review supports your contention, we will take corrective action to withdraw the violation.

STEP 3: If you are not satisfied with the result of this administrative review, you have the right to request a formal hearing by the DIA within 14 days of receiving our decision. You will be notified of the date, time and place of this hearing.

PLEASE NOTE: If you do not pay or appeal your original violation, additional violations on your account will be incurred. **Department regulations (452 CMR 1.03 (3) (C)) do not provide for any appeal to demand notices.** Otherwise, the fine is due within 14 days of receipt of the administrative review. Only one administrative review is allowed for each violation.

THE CLAIMS/INJURY REPORTING PROCESS

The step-by-step procedure for claims processing and adjudication is listed below.

STEP 1 INJURY:

When an employee is disabled or incapable of earning full wages for five or more calendar days due to an occupational injury/illness/death, the employer must file a Form 101 with the Department of Industrial Accidents and their insurance carrier. This

form must be sent within seven days (not including Sundays and legal holidays) from the fifth day of disability.

STEP 2 PAYMENT/CLAIM:

Once the insurer receives the Form 101, they have 14 days to pay benefits or notify the employee and the DIA that they are contesting the claim. The insurance company can pay on a claim for up to 180 days without prejudice, during which time they can stop or modify the payments, after giving a seven day notice to the injured worker and the DIA. After the 180 day pay-without-prejudice period has passed, the insurer can stop or reduce payment only for reasons specified by the workers' compensation act and regulations. If the insurer denies the claim or stops or reduces payment once it has been initiated, the employee can file an Employee Claim form (Form 110) to request a hearing. In order to give the insurance company sufficient time to investigate the claim, an employee claim can not be accepted until 30 days have passed from the alleged onset of disability, or the insurer has denied the claim by certified mail.

STEP 3 CONCILIATION:

The first proceeding scheduled on a contested claim is an informal conciliation, which is held within a few weeks of the claim being received by the DIA. At conciliation an attempt is made to settle the issues in dispute. If an agreement is not reached, the claim is referred to a conference before an Administrative Judge.

STEP 4 CONFERENCE:

The Industrial Accident Board is made up of the DIA's Administrative Judges, who rule on disputed workers' compensation claims. The conference is the first proceeding before a judge. The insurer and the employee must be present at the conference. Following the conference, the Judge will issue an order of payment or denial. Either side may appeal this within 14 days. If the case is appealed it will proceed to the hearing stage.

STEP 5 HEARING:

At a full hearing the same Administrative Judge who presided at the conference considers all the evidence. Rules of evidence now apply, and witnesses can be subpoenaed. After reviewing all the information available, the Judge will then issue a written decision. If either party to the case believes the Judge made an error of fact, or exceeded his/her authority with the ruling, the party has 30 days from the filing date of the decision to file an appeal to the Reviewing Board.

STEP 6 REVIEWING BOARD:

This board is made up of six Administrative Law Judges, three of whom will examine the hearing transcripts, and may ask for oral argument from the attorneys for both

parties. This panel can reverse the Administrative Judge's decision. Reviewing Board decisions can be appealed to the Massachusetts Appeals Court.

VOCATIONAL REHABILITATION SERVICES

The Office of Education and Vocational Rehabilitation (OEVR) is responsible for contacting and meeting with all injured employees referred, to determine suitability for vocational rehabilitation services. All injured workers are eligible to apply for vocational rehabilitation services, but must meet specific criteria in order to receive these services. If an employee refuses to meet with a vocational rehabilitation review officer in the DIA, they could lose compensation during the period of such refusal. If an injured employee is determined suitable for vocational rehabilitation services by OEVR and refuses such services, the insurer may request the Director of OEVR to allow them to reduce weekly benefits by 15 percent.

OEVR encourages the voluntary development of rehabilitation programs between the injured worker and the insurer. The vocational rehabilitation provider, certified by OEVR, may contact the employer for information on the employee to aid in writing of the rehabilitation program. The cooperation of the employer in the collection of this information will lead to a smoother process for all parties involved.

Vocational rehabilitation services are non-medical services that may be needed to restore the employee to suitable employment at a salary that is commensurate with what he/she earned before the injury.

Vocational rehabilitation does not necessarily mean retraining; services are designed to help the employee (in order of priority):

1. Return to their old job.
2. Return to their old job with modifications such as in equipment, working hours or working conditions.
3. Find a new job with the old employer or with a different employer.
4. Retrain the employee for a new job.

The benefit to the employer for returning an employee back to work, whether it is on light duty or through modifications in the workplace or work hours, would be an improved workers' compensation history and a modification of their insurance rates. M.G.L. c.. 152, s. 75B, as added by c. 572, s. 58 of the Acts of 1985, prohibits an employer in Massachusetts from firing, refusing to hire, rehire, or promote or otherwise discriminate against a qualified handicapped person on account of that person's handicap.

LUMP SUM SETTLEMENT

In many cases an insurer will agree to settle a case through a lump sum settlement, which is a one time payment in lieu of some, or all future benefits. Under the workers' compensation law, employers with an experience modification that could be affected by the settlement must give a written consent for the settlement between the insurer and the employee.

THE BEST WAY TO REDUCE YOUR WORKERS COMPENSATION INSURANCE EXPENSES

This section is designed to provide employers with some suggestions on ways to help them manage their workers' compensation claims. The two primary means of doing this are:

- ❖ Preventing the injury before it happens: **Pre -loss objective.**
- ❖ Getting the employee back to work: **Post-loss objective.**

Pre-loss Objective

Most injuries can be prevented before they occur. Here are some of the things you can do to prevent injuries at your company:

1. **EDUCATION:** The best way to reduce injury and illness in the workplace is to establish a comprehensive safety and health education and training program. Preventive programs designed to train you and your employees in the recognition, avoidance, and prevention of unsafe or unhealthy working conditions in the workplace have been successful in reducing injury and illness as well as increasing productivity.

The DIA Office of Safety is charged with occupational safety and health education and training of employees and employers, and providing advice and assistance in the prevention of occupational injury, illness, and death in the workplace (M.G.L. 23E, section 3). For information on these programs and the safety grant program, please contact:

Office of Safety
Department of Industrial Accidents
600 Washington St., 7th Floor
Boston, MA 02111

1-800-323-3249, ext. 387

2. **JOINT LABOR-MANAGEMENT SAFETY COMMITTEES:** An essential ingredient for reducing injury and illness is the establishment of a joint labor-management safety committee at the work site. This committee will provide a systematic forum for identifying and correcting health and safety concerns in the workplace. Worker participation and involvement is fundamental to the success of any occupational health and safety program.

Post Loss Objective

If you show your employees that you care about their safety they will make the extra effort to ensure that your company is a safe place to work.

After an injury has occurred, there are things you can do that will affect your workers' compensation insurance costs.

1. **MEDICAL ATTENTION:** When an employee is injured, the most important thing is to provide medical attention as soon as possible. An injured employee is entitled to adequate and reasonable medical care, including doctor visits, hospital services, prescriptions, etc. Except for the employee's first scheduled appointment, which an employer may require to be with a health provider within their preferred provider arrangement, the worker has the right to choose his/her own health care professional for treatment and to change this professional once. Speedy and efficient medical attention can reduce the long term disability of the employee and keep insurance premiums down.

2. **INJURY REPORT:** Fill out all forms that need to be filed and notify your workers' compensation insurance company of all injuries. If the employee is disabled, or not capable of earning his/her full wages for five or more calendar days, you must notify the Department of Industrial Accidents. Remember, there is a fine if you do not file the correct form in a timely manner.

You should notify the adjuster for the insurance company and provide the adjuster with any documents he/she needs, so that the claim can be processed without unreasonable delay. This is very important, because if by the third week the employee does not get paid, the chances of him or her contacting a lawyer is very high, therefore increasing the cost of handling the claim.

3. **INFORMATION:** Maintain contact with the employee, the adjuster, the medical providers and any other party involved. Keep records of all documents and give the employee a copy. Remember to treat the injured employee with dignity. Almost all claims are genuine. This simple gesture on your part will encourage the employee to get back to work as soon as possible.

4. **RETURN TO WORK:** One of the most important ways to reduce your workers compensation costs is by returning the injured worker to work. Job or tool modification can help the injured worker return to work as soon as possible, and helps prevent future injuries. The presence of an injured employee encourages others to be careful while on the job, thereby minimizing the chance of a reoccurrence. The act provides that employees who return to work may, within the first 28 days of their return, be reinstated on workers' compensation benefits if they give notice to the employer and insurer that due to their injury they cannot continue to work.

Ensuring that your employees have a safe workplace, and showing your employees you care about their safety and well being before and after the injury, are the best ways to reduce your workers' compensation costs. You as the employer can have a major effect on your insurance costs if you establish a policy with that goal.

THE AMERICANS WITH DISABILITY ACT (ADA)

An employer may not inquire into an applicant's workers' compensation history before making a conditional offer of employment.

After making a conditional offer, an employer may ask about a person's workers' compensation history in a medical inquiry or examination that is required of all applicants in the same job category.

An employer may not require an applicant to have a medical examination because a response to a medical inquiry (as opposed to results from a medical examination) discloses a previous on-the-job injury, unless all applicants in the same job category are required to have the examination.

Whether an injured worker is protected by the ADA will depend on whether or not the person meets the ADA definition of an "individual with a disability" and "qualified individual with a disability."

The fact that an employee is awarded workers' compensation benefits, or is assigned a high workers' compensation disability rating, does not automatically establish that this person is protected by the ADA.

Filing a workers' compensation claim does not prevent an injured worker from filing a charge under the ADA. "Exclusivity" clauses in state workers' compensation laws bar all other civil remedies related to an injury that has been compensated by a workers' compensation system. However, these clauses do not prohibit a qualified individual with a disability from filing a discrimination charge with EEOC, or filing a suit under the ADA, if issued a "right to sue" letter by EEOC.

The Americans with Disability Act (ADA) prohibits you from giving a physical or medical examination to a potential applicant, unless a job has been offered to the person. Remember it is illegal to discriminate against people with a disability. For more information on the ADA act, please call the Equal Employment Opportunity Commission (EEOC) at 1-800-669-4000 and The Massachusetts Office of Citizens with Disabilities, 617-727-7440.

QUESTIONS AND ANSWERS

Here are some of the most commonly asked questions about workers' compensation by employers:

Q: HOW DOES THE WORKERS' COMPENSATION LAW DEFINE AN EMPLOYEE?

A: Section 1 (4) states that an employee is "every person in the service of another under any contract of hire, express or implied, oral or written". Exceptions include but are not limited to:

Seamen engaged in interstate/foreign commerce;

Salesmen of real estate or consumer goods who work on a commission, or buy/sell basis, other than in a retail establishment, (with a written contract stating they are not treated as an employee under federal tax law);

Taxi drivers who lease their cabs on a fee basis not related to fares collected (and who are not treated as an employee under federal tax law);

Persons engaged in interstate/foreign commerce who are covered by federal law for compensation for injury or death.

Questions about sub-contractors can be directed to the Office of Insurance, (617) 727-4900, x 406 or 408.

Q: WHERE DO I GET THE FIRST REPORT OF INJURY FORMS I NEED TO FILE THESE REPORTS?

NOTE: All DIA forms can be photocopied. All forms filed with the DIA require an original signature.

A: DIA forms can be obtained either from your insurance company or from the DIA. Either call the information office, or visit the DIA web site. The address for forms on our web site is <<http://www.mass.gov/dia/titlepage/forms.htm>>. You should ensure that your company has an adequate supply on hand at your place of business; it could be too late to get the forms once an accident takes place.

Q: I AM STARTING A BUSINESS AND NEED WORKERS' COMPENSATION INSURANCE. WHAT DO I DO?

A: You can obtain insurance through any insurance agent or broker who handles business insurance, or through a direct writer of insurance. For more information call the Workers' Compensation Rating and Inspection Bureau, (617) 439-9030.

Q: I OWN A SMALL BUSINESS. THE ONLY PERSON WORKING WITH ME IS MY WIFE (or any relative). DO I NEED WORKERS' COMPENSATION INSURANCE?

A: Yes, family members must be covered by workers' compensation insurance, even if they are the only employees of the company.

Q: I AM A CORPORATE OFFICER, THE SOLE OWNER OF THE CORPORATION. I HAVE TWO EMPLOYEES WORKING FOR ME. I KNOW I NEED WORKERS' COMPENSATION INSURANCE FOR MY EMPLOYEES, BUT DO I HAVE TO COVER MYSELF?

A: No; on July 25, 2002, the governor signed a change in the state's workers' compensation law allowing corporate officers who own at least 25 percent of the corporation to exempt themselves from workers' compensation coverage. Such corporate officers can file with the DIA to exempt themselves, using the DIA Form 153, *Affidavit of Exemption for Certain Corporate Officers*. This change does not affect the requirement that all employers cover their employees with WC insurance.

Q: I AM THE OWNER OF A BUSINESS OUTSIDE OF MASSACHUSETTS AND HAVE BEEN HIRED TO DO SOME WORK IN MASS. DO I NEED TO GET A MASSACHUSETTS POLICY FOR WORKERS' COMP?

A: You are required to cover your employee's with workers' compensation benefits under Massachusetts law. You do not need to buy a policy strictly for Massachusetts, if in your existing workers' comp policy Massachusetts coverage is listed in Section 3A. Notation somewhere else in the policy that "all states are covered" or something similar, is not acceptable.

Q: I AM AN EMPLOYER, AND I HAVE A QUESTION ABOUT THE EXPERIENCE MODIFICATION FOR MY BUSINESS.

A: Call the Insurance Rating Bureau, (617) 439-9030.

Q: I AM AN EMPLOYER; WHO CAN ANSWER A QUESTION ABOUT THE ASSESSMENT ON MY WORKERS' COMPENSATION INSURANCE?

A: Call the Office of Finance and Accounting, at the Department of Industrial Accidents, (617) 727-4900 x 232. They can inform you of your present billing status.

Q: AFTER ONE OF MY EMPLOYEES HAS BEEN INJURED ON THE JOB, HOW LONG DOES THE INSURANCE COMPANY HAVE TO RESPOND?

A: When an employee has been disabled for five calendar days due to an injury on the job, the employer must then file a First Report of Injury form with the insurance company and the Department of Industrial Accidents. The insurance company then has 14 days from the date they receive that form to mail a check to the employee; or, if they intend to contest the claim, to send a certified letter denying compensation.

Q: I NEED TO REPLACE AN EMPLOYEE WHO WAS INJURED AND IS COLLECTING WORKERS' COMPENSATION; DO I HAVE TO HOLD THE JOB OPEN FOR THE EMPLOYEE?

A: Unless a union contract, or the individual's contract of hire, requires it, an employer does not have to hold an injured worker's job open while they are unable to work due to an occupational accident. Section 75A of the workers' compensation law does require employers to give preferential treatment in the rehiring of injured workers when they are ready to return to work. Section 75B requires that employers make all reasonable accommodations to anyone who is deemed to be a qualified handicapped person under Chapter 151B.

Q: WHAT MUST EMPLOYERS DO TO MAKE SURE THAT EMPLOYEES ARE AWARE OF INSURANCE COVERAGE AND/OR OTHER RELATED INFORMATION?

A: All employers must post a NOTICE TO EMPLOYEES on a bulletin board in a suitable public area on their premises. The notice, which is available at all DIA offices and included in this brochure, must be completed in its entirety, indicating the insurance carrier, the address, policy number and a contact person to whom injuries or incidents should be reported. This is all public information, and must be readily available to any person who needs it. Failure to provide the information to the employee is a violation of the law, and the employer is subject to a fine. There is also an optional space on this notice to list a designated health care provider for initial treatment following an injury.

Q: AS AN EMPLOYER WHAT RIGHTS DO I HAVE DURING THE CLAIM PROCESS?

A: As an employer you pay through assessments and premiums for workers' compensation coverage. While the insurer is legally the interested party during the claims proceeding, the employer will receive notice of a hearing, a lump sum conference or a proceeding involving employer misconduct (Section 28). The employer is required to attend only the Section 28 proceeding. Should the employer have any pertinent information relating to any claims, they should inform their insurer. Employers may attend conference or hearing proceedings, however, they may not participate unless they are called as witnesses. For this purpose, all

employers are encouraged to maintain well documented records of all accidents and reports including names of witnesses.

Q: IF ONE OF MY EMPLOYEES USES MY FACILITIES TO DO SOME PURELY PERSONAL WORK, WOULD HE STILL BE ABLE TO CLAIM WC BENEFITS IF HE WAS INJURED?

A: If what he was involved in was purely personal, then he probably would not be able to claim benefits under his employer's WC policy. But if it was held that use of his employer's facilities was part of the compensation for his employment, it could be held that the injury was incident to employment, and thus covered by WC.

Q: DO I HAVE TO FILE A QUARTERLY REPORT (DIA FORM 102)?

A: No; filing this form is no longer required.

Q: I NEED AN OSHA LOG 300; HOW DO I GET ONE?

A: Call OSHA in Boston, (617) 565-9860, or visit their web site: <www.osha.gov>.

For the answers to additional questions, and links to other sources of information, including the Massachusetts Division of Insurance, the Office of the Secretary of State, and the Social Security Administration, visit the DIA web site- <www.mass.gov/dia>.

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